

CHAPTER 4

AREA OF CITY IMPACT

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10-4-1: PURPOSE: The purpose of establishing an area of city impact is to identify a logical urban fringe area adjoining the City of Shelley, Idaho. The urban fringe area is realizing, or will realize, development pressure that must be planned for in an orderly manner. Section 67-6526, Idaho Code, requires that cities and counties negotiate an area of city impact.

10-4-2: ESTABLISHMENT OF AREA OF CITY IMPACT: The Shelley Impact area shall be determined by the Shelley City Council and the Bingham County Commission by negotiation and shall be established by ordinance of each body. The following factors shall be addressed by the City Planning and Zoning Commission and the City Council when considering a proposed development or change in land use within the area of City impact:

- (A) Agricultural land should be preserved for agricultural use. The area of City impact shall not be construed as authorizing restrictions on farm practices, including, but not limited to, use and application of fertilizers, pesticides, herbicides and fungicides; soil tillage and conditioning; use of machinery for tillage, conditioning, harvesting, application of chemical inputs and transport; the use of aircraft and its resulting noise and other impacts; burning of crop residue; and the production of livestock and poultry.
- (B) Any development or change in land use should be laid out in a manner which will permit replatting and the provision of public services when warranted.
- (C) Strip development along major arterials should be discouraged.

- (D) Before additional development occurs within the Shelley area of City impact, the availability of water and adequacy of centralized sewer or individual on-site sewage disposal systems must be established.
- (E) Traffic circulation and access to existing primary and secondary arterials must be adequate.

10-4-3: CRITERIA FOR DEFINING AREA OF CITY IMPACT: The following criteria should be considered in defining the Shelley area of City impact:

- (A) Trade Area--the area related to economic influences which could have an impact on the City, i.e., shopping facilities, employment and patterns of growth.
- (B) Geographic Factors--topographical features which influence the direction of development, i.e., waterways, soil suitability and topography suitable for development of streets and extension of public services.
- (C) Areas to be Considered for Annexation--areas the City could reasonably be expected to provide services to within five (5) to ten (10) years, i.e., police, fire, central water or sewer facilities.

10-4-4: APPLICATION OF PLANS, ORDINANCES, PERMITS AND CODES: Unless otherwise provided in the City-County area of City impact agreement, the following shall apply:

- (A) The City Comprehensive Plan and the City Planning and Zoning Ordinance shall be used within the area of City impact.
- (B) The Flood Hazard Ordinance meeting the requirements for participation in the Federal Flood Insurance Program adopted by the County shall apply within the area of City impact.
- (C) Manufactured home and mobile home regulations of the City shall apply within the area of City impact.
- (D) The Subdivision Ordinance of the City, and any subsequent amendments thereto, shall apply within the area of City impact.
- (E) The Uniform Building Code and any subsequent amendments thereto, as adopted by the State, shall apply within the area of City impact.
- (F) The City shall be responsible for the administration and enforcement of the above listed ordinances and regulations within the area of City impact.

10-4-5: COMMISSION REPRESENTATION FROM AREA OF CITY IMPACT:

- (A) At least one (1) and not more than two (2) additional members of the Commission shall be appointed from the area of City impact under the provisions of 10-4-5(B) herein. The actual number shall be determined by the Council based upon the actual size of the area of City impact and provisions of Title 67, Chapter 65, Idaho Code.
- (B) The names of at least four (4) candidates from the area of City impact for each vacancy on the Commission shall be submitted to the Bingham County Commission by the Council. The County Commission shall make the appointment(s) within two weeks.
- (C) Members of the Commission from the area of City impact may be removed according to the provisions of 10-3-3(A) herein or by majority vote of the Bingham County Commission. The County Commission shall notify the Council, in writing, of such action.
- (D) Vacancies on the Planning and Zoning Commission from the area of City impact shall be filled as provided in 10-4-5(B) herein.

10-4-6: GEOGRAPHIC AREA OF CITY IMPACT: The officially adopted geographic area of city for the City of Shelley is shown on a map on file in the City Clerk's office of the City of Shelley entitled "Impact Area Boundaries, City of Shelley" identified as having been approved by the signature of the Mayor of the City of Shelley for the city and by a member of the County Commission of Bingham County for the County Commissioners and such geographic area is designated as an area of city impact for the City of Shelley and as the same shall be amended from time to time following due notice and hearing as provided by law.

10-4-7: COMPREHENSIVE PLAN: That the comprehensive plan, and subsequent amendments thereto as officially adopted by the City of Shelley, shall apply to the area of city impact within the unincorporated area of Bingham County, Idaho.

10-4-8: ZONING ORDINANCES: The zoning ordinances and subsequent amendments thereto as officially adopted by the City of Shelley shall apply to the area of city impact within the unincorporated areas of Bingham County, Idaho.

10-4-9: SUBDIVISION ORDINANCES: The subdivision ordinances and subsequent amendments thereto as officially adopted by the City of Shelley, Idaho, shall apply to all areas of city impact within the unincorporated area of Bingham County, Idaho.